

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:22-CR-11-MOC-WCM

UNITED STATES OF AMERICA,

v.

KATIE JEANNE JOHNSON,

Defendant.

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ORDER

This matter came before the Court on April 24, 2023 for a status conference pertaining to a letter from the Bureau of Prisons (“BOP”) requesting an extension of the commitment period during which Defendant is to be evaluated for competency, an objection by defense counsel, and an additional letter from the BOP regarding Defendant’s psychiatric status. Docs. 9, 10, and 11.

As Defendant is currently undergoing a competency evaluation, and as the conference involved questions of law, Defendant’s presence was not required. See Fed. R. Crim. P. 43.

For the reasons stated during the conference, the undersigned concludes that the BOP’s request should be allowed in part and denied in part.

IT IS THEREFORE ORDERED THAT:

1. Pursuant to 18 U.S.C. § 4247(b), the BOP's request for a 15-day extension of Defendant's commitment period is **GRANTED** and the commitment period is extended to and including May 8, 2023.
2. To the extent the BOP's letter can be read as a request for authorization to submit the written report regarding Defendant's competency six (6) weeks following the conclusion of her evaluation (i.e., June 19, 2023), the request is **DENIED**. The BOP is directed to submit Defendant's evaluation within 14 days of the conclusion of her commitment period.
3. The Clerk is respectfully directed to transmit copies of this Order to the warden at Defendant's current location as well as the United States Marshals Service.

Signed: April 24, 2023



W. Carleton Metcalf
United States Magistrate Judge

